



## UNITED STATES DISTRICT COURT

for the  
Western District of Oklahoma

In the Matter of the Search of

*(Briefly describe the property to be searched  
or identify the person by name and address)*The Premises known as 104757 S 3330 Rd/Oak Rd,  
Harrah, Oklahoma GPS coordinates 35.496450,  
-97.070954, the surrounding curtilage  
and any vehicles and outbuildings thereon.

Case No. M-19-685-STE

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment A

located in the Western District of Oklahoma, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

*Code Section*

18 U.S.C. § 81

18 U.S.C. § 1111

18 U.S.C. § 1112

*Offense Description*

Arson

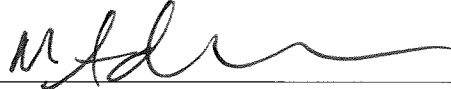
Murder

Manslaughter

The application is based on these facts:

See attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

*Applicant's signature*

Michael Adams, Special Agent, FBI

*Printed name and title*

Sworn to before me and signed in my presence.

Date: **Dec 29, 2019***Judge's signature*City and state: Lawton, Oklahoma

Shon T. Erwin, U.S. Magistrate Judge

*Printed name and title*

**WESTERN DISTRICT OF OKLAHOMA  
OKLAHOMA CITY, OKLAHOMA**

**STATE OF OKLAHOMA    )  
  )  
COUNTY OF OKLAHOMA )**

**AFFIDAVIT**

I, Michael R. Adams, Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, being duly sworn, depose and state as follows:

1. I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), and am empowered by law to conduct investigations of and to make arrests for offenses as set forth in 18 U.S.C. § 2516.

2. I have been employed as a Special Agent with the FBI since March 2015. I have been assigned to the Oklahoma City division's violent crime squad since August 2015 and been involved in a wide variety of investigative matters. As part of my investigative experience, I have been the affiant on search warrants, and in turn executed those search warrants and others.

3. I received twenty weeks of formal training at the FBI academy in Quantico, Virginia, related to law enforcement and investigation.

4. I have personally participated in this investigation and am familiar with the information contained in this Affidavit through discussions with other law enforcement personnel, and my own personal investigation.

**PURPOSE OF AFFIDAVIT**

5. Based on the evidence obtained to date, and as described further below, I believe there is probable cause to believe that the physical property located at 104757 S 3330 Rd/Oak Rd, Harrah, Oklahoma, GPS coordinates 35.496450, -97.070954 (**target residence**) contains evidence of a violation of Title 18 U.S.C. §§ 81, 1111, 1112 and 1153. The suspect believed to be in violation of Title 18 U.S.C. §§ 81, 1111, 1112 and 1153 as described below, Desma Valdez Rice (**VALDEZ**), is a member of the Kickapoo Tribe and the **target residence** is located in the territorial jurisdiction of the Kickapoo Tribe and is therefore Indian Country as defined under law.

6. The information contained in this Affidavit is submitted for the limited purpose of establishing probable cause to secure a search and seizure warrant to search the **target residence**, as described further in **Attachment A** (physical description), for evidence in violation of Title 18 U.S.C. §§ 81, 1111, 1112 and 1153 (offenses committed within Indian county) and to seize such evidence as further described in **Attachment B** (description of items to be seized).

7. Since this Affidavit is being submitted for the limited purpose of securing a search and seizure warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for the requested warrant.

**PROBABLE CAUSE**

8. On December 28, 2019, at approximately 1:28 p.m., the Lincoln County Fire Department received a call of a trailer on fire. The fire department was dispatched to 104757 S 3330/Oak Rd, Harrah, Oklahoma (**target residence**). Officer Cozart (Cozart) with the Kickapoo Tribal Police Department was the first officer to arrive on scene at the **target residence** at approximately 1:32 p.m. Upon his arrival, he observed the residence to be engulfed in flames and a woman in a grey shirt, later identified as **VALDEZ**, sitting on the front porch steps of the **target residence**. Cozart could see a bleeding wound on **VALDEZ**'s arm that appeared to be self-inflicted due to its vertical cutting pattern. **VALDEZ** had to be physically removed from the porch. Cozart asked **VALDEZ** if there were people inside the residence. **VALDEZ** responded that there were two people inside. Cozart also asked **VALDEZ** about the fire and **VALDEZ** stated "I did it, I did it". Once removed from the porch, **VALDEZ** was advised of her rights via *Miranda* warning. **VALDEZ** then identified the two individuals inside the residence as "Tyler" (Tyler) and "Daisica" (Daisica).

9. At this time, **VALDEZ** was moved to an ambulance on scene and was ultimately transported to the Oklahoma University Medical Center where she could be treated for her injuries.

10. Once the fire was put out at the residence, FBI Special Agent David Wardlaw (Wardlaw) was able to observe what appeared to be a burned human body approximately twelve to fifteen feet in the south east direction from the front door of the residence. Wardlaw could also see what appeared to be a second burned human body through an open window in the south west portion of the residence.

11. Juanita Galindo, Medical Examiner, arrived on scene at approximately 6:20 p.m. The first body that Wardlaw had observed was recovered and then the second body was recovered in the south western part of the residence. The bodies were transported by the Medical Examiner's office at approximately 7:35 p.m.

12. After admittance to the Oklahoma University Medical Center Emergency Room, **VALDEZ** was transferred to the Intensive Care Unit. While there, I spoke to medical staff and was told that **VALDEZ** was being treated for multiple injuries including smoke inhalation.

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**CONCLUSION**

13. Based on the foregoing, I respectfully submit that there is probable cause to believe that evidence relating to violations of Title 18 U.S.C. §§ 81, 1111, 1112 and 1153 will be found at or in the **target residence**. I therefore respectfully request issuance of a search and seizure warrant to search the **target residence**.

**FURTHER, YOUR AFFIANT SAYETH NOT.**



MICHAEL ADAMS  
Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed before me this 29<sup>th</sup> day of December 2019.



SHON T. ERWIN  
United States Magistrate Judge

**Attachment A**

**ADDRESS TO BE SEARCHED**

104757 S 3330 Rd/Oak Rd, Harrah, Oklahoma  
GPS coordinates 35.496450, -97.070954

**Description:**

104757 S 3330 Rd/Oak Rd, Harrah, Oklahoma is located in Harrah, Oklahoma on Kickapoo Tribal land. It is a one-story trailer house with white siding. The structure is on the west side of 3330 Rd/Oak Rd, just south of Highway 62. The front door faces north. The trailer is at the end of a private drive that runs north and south from the residence before bending east where it intersects with 3330 Rd/Oak Rd. There are steps leading up to what used to be a front door as well as a handicap ramp starting from the western side of the house.



**Attachment B**

1. Any and all evidence relating to the cause of or source of the fire at the target residence, including without limitation any and all flammable materials, accelerants, fire sources or other evidence relating to anything which could or may have resulted in the fire.
2. Any and all evidence relating to the cause of death or the time of death of the two individuals found inside the target residence, including without limitation blood, DNA, other bodily fluids or other biological evidence, fingerprints, trace evidence such as hair or fibers, and weapons or similar items which were or could have been used to cause the death of the individuals.
3. Documents or other evidence demonstrating the identity of the two bodies found inside the target residence.
4. Documents showing ownership or control of the target residence, including utility bills, mail or other documents identifying the individuals who lived or live at the target residence on or about December 28, 2019.
5. Any cell phones or laptop computers belonging to VALDEZ.
6. Any evidence relating to murder of the two individuals found at the target residence.
7. Any evidence of any preparatory steps or planning relating to the death or murder of the two individuals found at the target residence.